

PUBLIC NOTICE
U.S. Environmental Protection Agency, Region 4
Water Division
Permitting and Grants Branch
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303
(404) 562-9672

Public Notice No. **19FL00002** Date: December 12, 2019

NOTICE OF PUBLIC HEARING AND EXTENDED PUBLIC COMMENT PERIOD REGARDING THE PROPOSED
ISSUANCE OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT

On August 30, 2019 the U.S. Environmental Protection Agency (EPA) Region 4 public noticed its draft National Pollution Discharge Elimination System (NPDES) permit and associated documents for Kampachi Farms, LLC (Permit No. FL0A00001). Pursuant to 40 CFR § 124.12, EPA has determined that significant public interest exists to conduct a public hearing on the above-referenced permit.

Commented [DC1]: It's (?)

PUBLIC HEARING

The public hearing will be held on January 28, 2019 from 5:30 p.m. to 9:30 p.m. at Mote Marine Laboratory & Aquarium’s WAVE Center, 1600 Ken Thompson Parkway, Sarasota, FL 34236.

BACKGROUND

The draft NPDES permit authorizes the discharge of industrial wastewater from a marine net-pen aquaculture facility located in federal waters of the Gulf of Mexico at approximately 45 miles southwest of Sarasota, Florida (near 27° 7.34185’N, 83° 12.02291’W). The facility would include a supporting vessel and a single floating cage in a water depth of 130 feet. The project would culture a single cohort of approximately 20,000 Almaco jack (*Seriola rivoliana*) and produce a maximum annual harvest of 88,000 lbs. The applicant for this project is Kampachi Farms, LLC, P.O. Box 4239, Kailu-Kona HI 96740.

Commented [DC2]: In “the” federal waters?

HEARING PROCEDURES AND COMMENTS

All persons interested in this draft permit are invited to attend the public hearings. If you wish to contribute comments, statements, data, and other information to the EPA regarding the permit you may: (1) submit written comments at the hearings; (2) present oral comments at the hearing; (3) send written comments to EPA at: NPDES Permitting Section, Water Division, Environmental Protection Agency, 61 Forsyth Street, S.W., Atlanta, Georgia 30303-8960, ATTENTION: Ms. Meghan Wahlstrom; (4) submit comments electronically to R4NPDES.Kampachi@epa.gov; or (5) fax to 404-562-9772.

The hearings will be presided over by the Regional Administrator’s designee, the Water Division Director (Presiding Officer). If you are interested in attending the hearing, EPA encourages you to pre-register at least 72 hours before the hearing at the following website: ~~ADD IN WEBSITE~~. Pre-registering for the hearing will allow EPA to improve meeting planning and maximize opportunities for interested parties to provide oral comments. You may register to speak at the hearing online at WEBSITE. You may also register to speak when you arrive at the hearing. EPA will generally assign speaking slots in the order received but may make adjustments to the speaking order to accommodate requests to speak within the time available.

Commented [DC3]: Do you need the word generally? I think it'll make sense with out it

Commented [DC4]: This is a bit unclear. Is it to accommodate the commenter’s schedule?

The hearing will begin with a brief presentation by the EPA and a neutral process facilitator, followed by oral comments from interested persons. Oral comments will be limited to five (5) minutes each to ensure more opportunities for interested persons to speak. Depending on the number of participants that pre-register, the EPA may reduce the time limit for oral comments to three (3) or four (4) minutes. If the need to reduce the time limit for comments is known in advance of the meeting, the EPA will attempt to notify those who have pre-registered. Though every effort will be made to accommodate all requests for speaking time, the EPA cannot guarantee that all persons will have an opportunity to contribute oral comments. As noted above, the EPA also encourages you to provide written comments.

FOLLOWING THE PUBLIC HEARINGS

The period for public comment on the draft permit will close 7 days after the public hearing. The EPA Presiding Officer may further extend the comment period for written statements and data by so stating at the hearings. A written transcript of the hearing and all written comments, data and other information EPA receives will be made available to the public at cost by writing to EPA at the address above, or by visiting the EPA at that same address between the hours of 8:15 a.m. and 4:30 p.m., Monday through Friday, except holidays (copies will be provided at a minimal cost per page).

Commented [DC5]: By stating so? Or is this legal speak?

Following the public hearing, and after consideration of all written and oral comments, and data, and the requirements of the CWA and applicable regulations, the EPA Regional Administrator will issue a final permit decision and forward a copy of the final decision to the applicant and each person who has submitted written comments or requested notice. Within 30 days following the notice of the final permit decision any person who filed comments on the draft permit or participated in the public hearing may file a petition for review in accordance with 40 CFR § 124.19. Additionally, any person who failed to file comments or participate in the public hearing may petition for review of any permit conditions in the final permit decision, but only to the extent that those final permit conditions reflect changes from the draft permit.

Commented [WM6]: Is this what we want to do? The coal transcript was housed online but I can’t access it any more so my thought is that online might not be how we want to do this

Commented [DC7]: Does this need some commas?

DISABILITY REASONABLE ACCOMODATION NOTICE

If you need a reasonable accommodation for a disability, EPA encourages you to pre-register for the event at WEBSITE and to notify us when you register. You may also request accommodation by emailing R4NPDES.Kampachi@epa.gov. Please provide one-week advance notice prior to the public hearing date for reasonable accommodation requests.

PUBLIC COMMENT PERIOD:

The public comment period will be open until February 4, 2020 which is seven (7) days after the public hearing. The draft NPDES permit establishes conditions and requirements to implement best management practices to control the effluent discharge and was drafted in accordance with the provisions of the Clean Water Act (33 U.S.C. Section 1251, et seq.) (“Act”) and other lawful standards

and regulations. The EPA is soliciting comments from the public on the draft permit and on the draft Environmental Assessment (“EA”), which was prepared to support the draft NDPES permit in accordance with the National Environmental Policy Act (“NEPA”). In addition to the draft EA, as part of the NEPA evaluation, EPA has also prepared a draft Finding of No Significant Impact (“FONSI”) on which EPA is also accepting comment.

Persons wishing to comment upon or object to any aspects of the permit issuance are invited to submit the same in writing prior to February 4, 2020 to the NPDES Permitting Section, Water Division, Environmental Protection Agency, 61 Forsyth Street, S.W., Atlanta, Georgia 30303-8960, ATTENTION: Ms. Meghan Wahlstrom. Comments may also be sent via email to: R4NPDES.Kampachi@epa.gov. Pursuant to 40 CFR § 124.13, any person who believes that any draft permit condition is inappropriate must raise all reasonably ascertainable issues and submit all reasonably available arguments in full, supporting his/her position, by the close of the comment period. The public notice number and NPDES number should be included on the first page of comments. All comments received by the close of the comment period on February 4, 2020 will be considered in the formulation of a final determination regarding the permit issuance.

The notice, draft permit, and supporting documents can be obtained at <https://www.epa.gov/aboutepa/about-epa-region-4-southeast>, by writing the EPA at the above address, or by calling Ms. Meghan Wahlstrom at ADD IN. The administrative record, including the draft permit, fact sheet, other supporting documents, all data submitted by the applicant, comments received, and additional information on hearing procedures is available at cost by writing to EPA at the address above or by visiting the EPA at that same address between the hours of 8:15 a.m. and 4:30 p.m., Monday through Friday, except holidays (copies will be provided at a minimal cost per page).

The EPA encourages you to share this information contained in this notice with persons whom you know will be interested in this matter. If you would like to be added to our public notice mailing list, submit your name and mailing address to the EPA, at the address given above.

Commented [SP8]: I thought the draft FONSI is also available and subj to comment – clarify with Dan fro this part.

Commented [WM9R8]: I left Dan and Roshanna a voicemail to determine this